

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX**

Index No.: _____/19

-----X
MICHAEL O'NEIL and CHRISTOPHER O'NEIL,

**Plaintiffs designate
BRONX COUNTY
as place of trial.**

**Plaintiffs,
-against -**

**The basis of venue is
where the alleged acts
occurred**

**ARCHDIOCESE OF NEW YORK, CATHOLIC
GUARDIAN SOCIETY GROUP HOME, CATHOLIC
GUARDIAN SERVICES, and JESUITS USA
NORTHEAST PROVINCE,**

SUMMONS

**Plaintiffs reside at
355 West 3rd Street
Elmira, NY 14901**

Defendants.

**2459 Birch Street
Easton, PA 18042**


-----X
To the above-named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case your failure to appear or answer, judgement will be taken for the relief demanded herein.

**A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT,
BRONX COUNTY ON _____ IN COMPLIANCE WITH CPLR §§305(a) AND
306(a).**

Dated: New York, New York
August 14, 2019

MERSON LAW, PLLC

By: 
Jordan K. Merson
Attorneys for Plaintiff
150 East 58th Street 34th Floor
New York, New York 10155
(212) 603-9100

TO:

ARCHDIOCESE OF NEW YORK

1011 1st Avenue
New York, NY 10022

CATHOLIC GUARDIAN SOCIETY GROUP HOME

420 Howe Avenue
Bronx, NY 10473

CATHOLIC GUARDIAN SERVICES

1011 1st Avenue, 10th Floor
New York, NY 10022

JESUITS USA NORTHEAST PROVINCE

39 East 83rd Street
New York, NY 10028

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX**

Index No.: _____/19

-----X
MICHAEL O'NEIL and CHRISTOPHER O'NEIL,**Plaintiffs,****-against -****VERIFIED
COMPLAINT****ARCHDIOCESE OF NEW YORK, CATHOLIC
GUARDIAN SOCIETY GROUP HOME, CATHOLIC
GUARDIAN SERVICES, and JESUITS USA
NORTHEAST PROVINCE,****Defendants.**

-----X

Plaintiff(s), above named, complaining of the Defendants, by **MERSON LAW,****PLLC.,** respectfully allege(s):**NATURE OF THE CLAIM**

1. This is a case of Plaintiffs Michael O'Neil and Christopher O'Neil who were repeatedly abused by multiple agents, servants and/or employees of the Archdiocese of New York ("Archdiocese"), Catholic Guardian Society Group Home ("Home"), Catholic Guardian Services ("CGS"), and/or Jesuits USA Northeast Province ("Jesuits").
2. Plaintiff Michael O'Neil was sexually abused as a child by Father Frank Ambrose Queeny ("Queeny") at and of the Archdiocese, Home and CSG. Michael O'Neil was also sexually abused by Father Edward Joseph Murphy ("Murphy") at and of the Archdiocese, CSG and Jesuits. He was further abused by other children under the care, supervision and control of the Archdiocese, CSG and Home.

3. Plaintiff Christopher O'Neil was sexually abused as a child by Queeny at and of the Archdiocese, Home and CSG and Richard Petrelli ("Petrelli") at and of the Archdiocese, CSG and/or the Home.
4. Queeny was a priest, agent, servant and/or employee at the Home which was apart of the Archdiocese and CGS. Queeny was known among the community and the children as a sexual predator.
5. Murphy was a priest, agent, servant and/or employee of the Archdiocese, CGS and/or Jesuits. Queeny was known among the community and the children as a sexual predator.
6. Petrelli was an agent, servant and/or employee of the Archdiocese, CGS and the Home. Petrelli was known among the community and the children as a sexual predator.
7. Despite the Archdiocese, Home, CGS, and/or Jesuits knowledge that Queeny, Murphy and/or Petrelli sexually abused children and/or had the propensity to sexually abuse children, the Archdiocese, Home, CGS and/or Jesuits allowed Queeny, Murphy and/or Petrelli unfettered access to children without supervision.
8. In or about 1974, while under the scope of employment with the Archdiocese, Home and CGS and while acting on behalf of the Archdiocese, Home and CGS, Queeny sexually abused Plaintiff Michael O'Neil by kissing him, fondling his penis, forcing him to engage in oral sex and otherwise sexually abusing him.
9. In or about 1974, while under the scope of employment with the Archdiocese, Home and CGS and while acting on behalf of the Archdiocese, Home and CGS, Queeny sexually abused Plaintiff Christopher O'Neil by fondling him, forcing him to engage in oral sex, raping him, and otherwise sexually abusing him.
10. Beginning in or about 1982 and continuing thereafter, while under the scope of employment with the Archdiocese, Home and CGS and while acting on behalf of the

Archdiocese, Home and CGS, Murphy sexually abused Plaintiff Michael O'Neil by kissing him, rubbing his penis, and otherwise sexually abusing him.

11. In or about 1979, while under the scope of employment with the Archdiocese, Home and CGS and while acting on behalf of the Archdiocese, Home and CGS, Petrelli sexually abused Plaintiff Christopher O'Neil everyday by rubbing his penis on plaintiff until he ejaculated, forcing plaintiff to engage in mutual masturbation, fondling plaintiff's penis, forcing plaintiff to fondle his penis, attempting to force plaintiff to engage in oral sex, and other sexual abuse.
12. Plaintiff brings this lawsuit to recover for the emotional and physical suffering he incurred because of the negligence of the Archdiocese of New York, Catholic Guardian Society Group Home, Catholic Guardian Services, and Jesuits USA Northeast Province. and to make sure no other child is forced to suffer the abuse and physical and mental trauma he felt and continues to feel.

PARTIES

13. At all times herein mentioned Defendant **ARCHDIOCESE OF NEW YORK** was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.
14. At all times herein mentioned, Defendant **ARCHDIOCESE OF NEW YORK** was located at 1011 1st Avenue, New York, New York 10022.
15. At all times herein mentioned, Queeny was a Priest operating under the direction and control of Defendant **ARCHDIOCESE OF NEW YORK**, and its agents, servants and/or employees.
16. At all times herein mentioned, Queeny was an agent, servant and/or employee of Defendant **ARCHDIOCESE OF NEW YORK**.

17. At all times herein mentioned, Murphy was a Priest operating under the direction and control of Defendant **ARCHDIOCESE OF NEW YORK**, and its agents, servants and/or employees.
18. At all times herein mentioned, Murphy was an agent, servant and/or employee of Defendant **ARCHDIOCESE OF NEW YORK**.
19. At all times herein mentioned, Petrelli was an agent, servant and/or employee operating under the direction and control of Defendant **ARCHDIOCESE OF NEW YORK**, and its agents, servants and/or employees.
20. At all times herein mentioned, Petrelli was an agent, servant and/or employee of Defendant **ARCHDIOCESE OF NEW YORK**.
21. At all times herein mentioned Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.
22. At all times herein mentioned, Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** was located at 420 Howe Avenue, Bronx, NY 10473.
23. At all times herein mentioned, Queeny was a Priest operating under the direction and control of Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME**, and its agents, servants and/or employees.
24. At all times herein mentioned, Queeny was an agent, servant and/or employee of Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME**.
25. At all times herein mentioned, Murphy was a Priest operating under the direction and control of Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME**, and its agents, servants and/or employees.

26. At all times herein mentioned, Murphy was an agent, servant and/or employee of Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME**.
27. At all times herein mentioned, Petrelli was an agent, servant and/or employee operating under the direction and control of Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME**, and its agents, servants and/or employees.
28. At all times herein mentioned, Petrelli was an agent, servant and/or employee of Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME**.
29. At all times herein mentioned Defendant **CATHOLIC GUARDIAN SERVICES** was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.
30. At all times herein mentioned, Defendant **CATHOLIC GUARDIAN SERVICES** was located at 1011 1st Avenue, New York, New York 10022.
31. At all times herein mentioned, Queeny was a Priest operating under the direction and control of Defendant **CATHOLIC GUARDIAN SERVICES**, and its agents, servants and/or employees.
32. At all times herein mentioned, Queeny was an agent, servant and/or employee of Defendant **CATHOLIC GUARDIAN SERVICES**.
33. At all times herein mentioned, Murphy was a Priest operating under the direction and control of Defendant **CATHOLIC GUARDIAN SERVICES**, and its agents, servants and/or employees.
34. At all times herein mentioned, Murphy was an agent, servant and/or employee of Defendant **CATHOLIC GUARDIAN SERVICES**.

35. At all times herein mentioned, Petrelli was an agent, servant and/or employee operating under the direction and control of Defendant **CATHOLIC GUARDIAN SERVICES**, and its agents, servants and/or employees.
36. At all times herein mentioned, Petrelli was an agent, servant and/or employee of Defendant **CATHOLIC GUARDIAN SERVICES**.
37. At all times herein mentioned, defendant **CATHOLIC GUARDIAN SERVICES** maintained, operated and/or controlled defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME**.
38. At all times herein mentioned, defendants **CATHOLIC GUARDIAN SOCIETY GROUP HOME** and **CATHOLIC GUARDIAN SERVICES** were agents, servants, employees and/or alter egos of each other.
39. At all times herein mentioned Defendant **JESUITS USA NORTHEAST PROVINCE** was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.
40. At all times herein mentioned, Defendant **JESUITS USA NORTHEAST PROVINCE** was located at 39 E. 83rd Street, New York, New York 10028.
41. At all times herein mentioned, Queeny was a Priest operating under the direction and control of Defendant **JESUITS USA NORTHEAST PROVINCE**, and its agents, servants and/or employees.
42. At all times herein mentioned, Queeny was an agent, servant and/or employee of Defendant **JESUITS USA NORTHEAST PROVINCE**.
43. At all times herein mentioned, Murphy was a Priest operating under the direction and control of Defendant **JESUITS USA NORTHEAST PROVINCE**, and its agents, servants and/or employees.

44. At all times herein mentioned, Murphy was an agent, servant and/or employee of Defendant **JESUITS USA NORTHEAST PROVINCE**.
45. At all times herein mentioned, Petrelli was an agent, servant and/or employee operating under the direction and control of Defendant **JESUITS USA NORTHEAST PROVINCE**, and its agents, servants and/or employees.
46. At all times herein mentioned, Petrelli was an agent, servant and/or employee of Defendant **JESUITS USA NORTHEAST PROVINCE**.
47. At all times herein mentioned, Defendant **ARCHDIOCESE OF NEW YORK** operated and/or controlled Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** and/or **CATHOLIC GUARDIAN SERVICES**.
48. At all times herein mentioned, Defendants **ARCHDIOCESE OF NEW YORK**, **CATHOLIC GUARDIAN SOCIETY GROUP HOME**, **CATHOLIC GUARDIAN SERVICES**, and **JESUITS USA NORTHEAST PROVINCE** were agents, servants, employees and/or alter egos of each other.

FACTS OF THE CASE

49. Defendants **ARCHDIOCES OF NEW YORK**, **CATHOLIC GUARDIAN SOCIETY GROUP HOME**, **CATHOLIC GUARDIAN SERVICES**, and/or **JESUITS USA NORTHEAST PROVINCE**'s negligence and recklessness caused, allowed, encouraged and/or permitted Queeny, Murphy and Petrelli have access to children, without proper supervision on Defendants' premises, despite its knowledge that Queeny, Murphy and/or Petrelli sexually abused children and/or had the propensity to do so, and therefore are responsible for the injuries that Plaintiffs incurred because but for Defendants **ARCHDIOCES OF NEW YORK**, **CATHOLIC GUARDIAN SOCIETY GROUP HOME**, **CATHOLIC GUARDIAN SERVICES**, and/or **JESUITS USA**

NORTHEAST PROVINCE's negligence, Plaintiffs would not have suffered the mental and physical anguish inflicted by Queeny, Murphy and Petrelli. Defendants **ARCHDIOCES OF NEW YORK, CATHOLIC GUARDIAN SOCIETY GROUP HOME, CATHOLIC GUARDIAN SERVICES, and/or JESUITS USA NORTHEAST PROVINCE's** gross negligence, reckless, wanton, and/or willful conduct warrants punitive liability.

50. Queeny sexually assaulted Plaintiffs and many other young male patrons of at defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME and/or CATHOLIC GUARDIAN SERVICES**. Nonetheless defendants **ARCHDIOCES OF NEW YORK, CATHOLIC GUARDIAN SOCIETY GROUP HOME, CATHOLIC GUARDIAN SERVICES, and/or JESUITS USA NORTHEAST PROVINCE** failed to remove Queeny, Murphy and/or Petrelli from their positions or to take any steps to keep the dangerous predator away from children. In fact, the Diocese continued to allow, encourage and/or permit Queeny, Murphy and/or Petrelli to have unfettered access to children.
51. Plaintiffs were placed in the Home where Queeny was the priest.
52. When Plaintiff Michael O'Neil was about eight years old at the Home, Queeny sexually abused him by forcing him to engage in oral sex, kissing him and other forms of sexual abuse.
53. Plaintiff Michael O'Neil was also sexually abused by other, older children at the Home. The older children would masturbate on plaintiff's stomach, force plaintiff to engage in oral sex and anally raped him. The older children were under the care, supervision and control of the Home, CGA and Archdiocese.

54. When Plaintiff Christopher O'Neil was about ten years old at the Home, Queeny sexually abused him by fondling his penis and anally raping him between twenty and thirty times.
55. When Plaintiff Michael O'Neil was approximately sixteen years old when Murphy sexually abused him for the first time. Murphy lured plaintiff to his home, where he housed children similarly situated to plaintiff. Murphy led plaintiff to his room and locked the door. Murphy forcefully kissed plaintiff on the mouth and rubbed his penis and told plaintiff it was okay because he would give him money. Plaintiff repeatedly told Murphy to stop. After Murphy ejaculated, he apologized, gave plaintiff twenty dollars and told him not to tell anyone about what had happened.
56. When plaintiff Michael O'Neil was seventeen years old, his CGS social worker approved for plaintiff to live with Murphy. During the time plaintiff lived with Murphy, Murphy molested his penis repeatedly.
57. When plaintiff Christopher O'Neil was fifteen years old, Petrelli offered him his first job at CGS as an office clerk. Petrelli sexually abused plaintiff every day by rubbing his penis on him until he ejaculated, forced plaintiff to manually stimulate his penis and manually stimulated plaintiff's penis, and attempted to force plaintiff to engage in oral sex.
58. As a result of the actions of Queeny, Murphy and/or Petrelli, Plaintiffs felt and continue to feel ashamed, embarrassed and humiliated. Plaintiff had endured and continues to suffer severe emotional distress due to Defendants **ARCHDIOCES OF NEW YORK, CATHOLIC GUARDIAN SOCIETY GROUP HOME, CATHOLIC GUARDIAN SERVICES, and/or JESUITS USA NORTHEAST PROVINCE's** negligence.
59. As such, Plaintiff suffered catastrophic and lifelong injuries as a result of Defendants **ARCHDIOCES OF NEW YORK, CATHOLIC GUARDIAN SOCIETY GROUP HOME, CATHOLIC GUARDIAN SERVICES, and/or JESUITS USA**

NORTHEAST PROVINCE's negligence in failing to protect the children of its parishes in locis parentis and of its community safe from Queeny, Murphy and Petrelli, despite the Archdiocese, Home, CGS, and Jesuits having knowledge that Queen, Murphy and Petrelli sexually abused children and/or had the propensity to sexually abuse children, and/or allowing Queeny, Murphy and/or Petrelli to continue to have his role and position of authority and power, and the Archdiocese failed to adequately supervise Queeny, Murphy and Petrelli.

AS AND FOR A FIRST CAUSE OF ACTION FOR NEGLIGENCE

FOR MICHAEL O'NEIL

AGAINST ARCHDIOCESE OF NEW YORK

60. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 59., inclusive, with the same force and effect as if hereinafter set forth at length.
61. At all times mentioned herein, Defendant **ARCHDIOCESE OF NEW YORK** owed a duty of care to keep the young patrons, students and children of its parishes, home and school, including plaintiffs safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the Plaintiff, including but not limited to in locis parentis, and they had a duty to properly supervise Queeny, Murphy and Petrelli.
62. At all times mentioned herein, Defendant **ARCHDIOCESE OF NEW YORK** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.

63. As a result of the negligence of Defendant **ARCHDIOCESE OF NEW YORK** and/or its agents, servants and/or employees, Plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
64. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
65. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
66. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
67. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A SECOND CAUSE OF ACTION FOR NEGLIGENT HIRING,
RETENTION AND SUPERVISION FOR MICHAEL O'NEIL
AGAINST ARCHDIOCESE OF NEW YORK**

68. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 67., inclusive, with the same force and effect as if hereinafter set forth at length.
69. Defendant **ARCHDIOCESE OF NEW YORK**, had a duty to supervise and prevent known risks of harm to young patrons, students and children of its parishes, home and school, including plaintiffs by its clergymen.
70. Defendant was negligent in hiring, retaining and supervising their personnel, such as Queeny, Murphy and Petrelli, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of

Priests and church officials who should have properly been supervising the Priests to ensure the safety of the children of the parishes.

71. Defendant **ARCHDIOCESE OF NEW YORK** knew or should have known that Queeny, Murphy and/or Petrelli sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Queeny, Murphy and/or Petrelli.
72. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
73. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
74. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
75. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
76. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR THE THIRD CAUSE OF ACTION FOR NEGLIGENT INFLECTION OF

EMOTIONAL DISTRESS FOR MICHAEL O'NEIL

AGAINST ARCHDIOCESE OF NEW YORK

77. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 76., inclusive, with the same force and effect as if herein set forth at length.

78. Defendant **ARCHDIOCESE OF NEW YORK** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Queeny, Murphy and/or Petrelli, the Priests who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
79. Defendant **ARCHDIOCESE OF NEW YORK** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
80. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Queeny, Murphy and Petrelli.
81. Despite said knowledge, power and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Queeny, Murphy and Petrelli sexually abusing Plaintiff.
82. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
83. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
84. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
85. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FOURTH CAUSE OF ACTION FOR NEGLIGENCE

FOR MICHAEL O'NEIL

AGAINST CATHOLIC GUARDIAN SOCIETY GROUP HOME

86. Plaintiffs repeat, reiterate and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 85., inclusive, with the same force and effect as if hereinafter set forth at length.
87. At all times mentioned herein, Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** owed a duty of care to keep the young patrons, students and children of its parishes, home and school, including plaintiffs safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the Plaintiff, including but not limited to in locis parentis, and they had a duty to properly supervise Queeny, Murphy and Petrelli.
88. At all times mentioned herein, Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.
89. As a result of the negligence of Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** and/or its agents, servants and/or employees, Plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
90. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
91. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
92. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

93. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTH CAUSE OF ACTION FOR NEGLIGENT HIRING,

RETENTION AND SUPERVISION FOR MICHAEL O'NEIL

AGAINST CATHOLIC GUARDIAN SOCIETY GROUP HOME

94. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 93., inclusive, with the same force and effect as if hereinafter set forth at length.

95. Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME**, had a duty to supervise and prevent known risks of harm to young patrons, students and children of its parishes, home and school, including plaintiffs by its clergymen.

96. Defendant was negligent in hiring, retaining and supervising their personnel, such as Queeny, Murphy and Petrelli, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of Priests and church officials who should have properly been supervising the Priests to ensure the safety of the children of the parishes.

97. Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** knew or should have known that Queeny, Murphy and/or Petrelli sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Queeny, Murphy and/or Petrelli.

98. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

99. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
100. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
101. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
102. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR THE SIXTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION OF
EMOTIONAL DISTRESS FOR MICHAEL O'NEIL
AGAINST CATHOLIC GUARDIAN SOCIETY GROUP HOME

103. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 102., inclusive, with the same force and effect as if herein set forth at length.
104. Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Queeny, Murphy and/or Petrelli, the Priests who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
105. Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

106. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Queeny, Murphy and Petrelli.
107. Despite said knowledge, power and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Queeny, Murphy and Petrelli sexually abusing Plaintiff.
108. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
109. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
110. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
111. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SEVENTH CAUSE OF ACTION FOR NEGLIGENCE

FOR MICHAEL O'NEIL

AGAINST CATHOLIC GUARDIAN SERVICES

112. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. Through 111., inclusive, with the same force and effect as if hereinafter set forth at length.
113. At all times mentioned herein, Defendant **CATHOLIC GUARDIAN SERVICES** owed a duty of care to keep the young patrons, students and children of its parishes, home and school, including plaintiffs safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the Plaintiff, including

but not limited to in locis parentis, and they had a duty to properly supervise Queeny, Murphy and Petrelli.

114. At all times mentioned herein, Defendant **CATHOLIC GUARDIAN SERVICES** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.
115. As a result of the negligence of Defendant **CATHOLIC GUARDIAN SERVICES** and/or its agents, servants and/or employees, Plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
116. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
117. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
118. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
119. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A EIGHTH CAUSE OF ACTION FOR NEGLIGENT HIRING,

RETENTION AND SUPERVISION FOR MICHAEL O'NEIL

AGAINST CATHOLIC GUARDIAN SERVICES

120. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. Through 119., inclusive, with the same force and effect as if hereinafter set forth at length.

121. Defendant **CATHOLIC GUARDIAN SERVICES**, had a duty to supervise and prevent known risks of harm to young patrons, students and children of its parishes, home and school, including plaintiffs by its clergymen.
122. Defendant was negligent in hiring, retaining and supervising their personnel, such as Queeny, Murphy and Petrelli, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of Priests and church officials who should have properly been supervising the Priests to ensure the safety of the children of the parishes.
123. Defendant **CATHOLIC GUARDIAN SERVICES** knew or should have known that Queeny, Murphy and/or Petrelli sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Queeny, Murphy and/or Petrelli.
124. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
125. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
126. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
127. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
128. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR THE NINTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION
OF EMOTIONAL DISTRESS FOR MICHAEL O'NEIL
AGAINST CATHOLIC GUARDIAN SERVICES

129. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 128., inclusive, with the same force and effect as if herein set forth at length.
130. Defendant **CATHOLIC GUARDIAN SERVICES** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Queeny, Murphy and/or Petrelli, the Priests who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
131. Defendant **CATHOLIC GUARDIAN SERVICES** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
132. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Queeny, Murphy and Petrelli.
133. Despite said knowledge, power and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Queeny, Murphy and Petrelli sexually abusing Plaintiff.
134. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
135. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.

136. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

137. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TENTH CAUSE OF ACTION FOR NEGLIGENCE

FOR MICHAEL O'NEIL

AGAINST JESUITS USA NORTHEAST PROVINCE

138. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 137., inclusive, with the same force and effect as if hereinafter set forth at length.

139. At all times mentioned herein, Defendant **JESUITS USA NORTHEAST PROVINCE** owed a duty of care to keep the young patrons, students and children of its parishes, home and school, including plaintiffs safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the Plaintiff, including but not limited to in locis parentis, and they had a duty to properly supervise Queeny, Murphy and Petrelli.

140. At all times mentioned herein, Defendant **JESUITS USA NORTHEAST PROVINCE** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.

141. As a result of the negligence of Defendant **JESUITS USA NORTHEAST PROVINCE** and/or its agents, servants and/or employees, Plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

142. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
143. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
144. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
145. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A ELEVENTH CAUSE OF ACTION FOR NEGLIGENT HIRING,
RETENTION AND SUPERVISION FOR MICHAEL O'NEIL
AGAINST JESUITS USA NORTHEAST PROVINCE

146. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 145., inclusive, with the same force and effect as if hereinafter set forth at length.
147. Defendant **JESUITS USA NORTHEAST PROVINCE**, had a duty to supervise and prevent known risks of harm to young patrons, students and children of its parishes, home and school, including plaintiffs by its clergymen.
148. Defendant was negligent in hiring, retaining and supervising their personnel, such as Queeny, Murphy and Petrelli, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of Priests and church officials who should have properly been supervising the Priests to ensure the safety of the children of the parishes.
149. Defendant **JESUITS USA NORTHEAST PROVINCE** knew or should have known that Queeny, Murphy and/or Petrelli sexually abused and/or had the propensity to

sexually abuse children and did nothing to stop it, and failed to properly supervise Queeny, Murphy and/or Petrelli.

150. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
151. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
152. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
153. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
154. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR THE TWELFTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION
OF EMOTIONAL DISTRESS FOR MICHAEL O'NEIL
AGAINST JESUITS USA NORTHEAST PROVINCE

155. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 154., inclusive, with the same force and effect as if herein set forth at length.
156. Defendant **JESUITS USA NORTHEAST PROVINCE** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Queeny, Murphy and/or Petrelli, the Priests who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

157. Defendant **JESUITS USA NORTHEAST PROVINCE** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
158. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Queeny, Murphy and Petrelli.
159. Despite said knowledge, power and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Queeny, Murphy and Petrelli sexually abusing Plaintiff.
160. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
161. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
162. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
163. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A THIRTEENTH CAUSE OF ACTION FOR NEGLIGENCE

FOR CHRISTOPHER O'NEIL

AGAINST ARCHDIOCESE OF NEW YORK

164. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 163., inclusive, with the same force and effect as if hereinafter set forth at length.

165. At all times mentioned herein, Defendant **ARCHDIOCESE OF NEW YORK** owed a duty of care to keep the young patrons, students and children of its parishes, home and school, including plaintiffs safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the Plaintiff, including but not limited to in locis parentis, and they had a duty to properly supervise Queeny, Murphy and Petrelli.
166. At all times mentioned herein, Defendant **ARCHDIOCESE OF NEW YORK** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.
167. As a result of the negligence of Defendant **ARCHDIOCESE OF NEW YORK** and/or its agents, servants and/or employees, Plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
168. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
169. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
170. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
171. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR FOURTEENTH CAUSE OF ACTION FOR NEGLIGENT HIRING,

RETENTION AND SUPERVISION FOR CHRISTOPHER O'NEIL

AGAINST ARCHDIOCESE OF NEW YORK

172. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 171., inclusive, with the same force and effect as if hereinafter set forth at length.
173. Defendant **ARCHDIOCESE OF NEW YORK**, had a duty to supervise and prevent known risks of harm to young patrons, students and children of its parishes, home and school, including plaintiffs by its clergymen.
174. Defendant was negligent in hiring, retaining and supervising their personnel, such as Queeny, Murphy and Petrelli, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of Priests and church officials who should have properly been supervising the Priests to ensure the safety of the children of the parishes.
175. Defendant **ARCHDIOCESE OF NEW YORK** knew or should have known that Queeny, Murphy and/or Petrelli sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Queeny, Murphy and/or Petrelli.
176. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
177. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
178. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.

179. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

180. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR THE FIFTEENTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION

OF EMOTIONAL DISTRESS FOR CHRISTOPHER O'NEIL

AGAINST ARCHDIOCESE OF NEW YORK

181. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 180., inclusive, with the same force and effect as if herein set forth at length.

182. Defendant **ARCHDIOCESE OF NEW YORK** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Queeny, Murphy and/or Petrelli, the Priests who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

183. Defendant **ARCHDIOCESE OF NEW YORK** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

184. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Queeny, Murphy and Petrelli.

185. Despite said knowledge, power and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Queeny, Murphy and Petrelli sexually abusing Plaintiff.

186. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
187. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
188. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
189. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SIXTENTH CAUSE OF ACTION FOR NEGLIGENCE

FOR CHRISTOPHER O'NEIL

AGAINST CATHOLIC GUARDIAN SOCIETY GROUP HOME

190. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 189., inclusive, with the same force and effect as if hereinafter set forth at length.
191. At all times mentioned herein, Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** owed a duty of care to keep the young patrons, students and children of its parishes, home and school, including plaintiffs safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the Plaintiff, including but not limited to in locis parentis, and they had a duty to properly supervise Queeny, Murphy and Petrelli.
192. At all times mentioned herein, Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.

193. As a result of the negligence of Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** and/or its agents, servants and/or employees, Plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

194. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.

195. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.

196. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

197. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SEVENTEENTH CAUSE OF ACTION FOR NEGLIGENT HIRING,

RETENTION AND SUPERVISION FOR CHRISTOPHER O'NEIL

AGAINST CATHOLIC GUARDIAN SOCIETY GROUP HOME

198. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 197., inclusive, with the same force and effect as if hereinafter set forth at length.

199. Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME**, had a duty to supervise and prevent known risks of harm to young patrons, students and children of its parishes, home and school, including plaintiffs by its clergymen.

200. Defendant was negligent in hiring, retaining and supervising their personnel, such as Queeny, Murphy and Petrelli, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of

Priests and church officials who should have properly been supervising the Priests to ensure the safety of the children of the parishes.

201. Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** knew or should have known that Queeny, Murphy and/or Petrelli sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Queeny, Murphy and/or Petrelli.
202. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
203. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
204. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
205. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
206. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE SEVENTEENTH CAUSE OF ACTION FOR NEGLIGENT
INFLICTION OF EMOTIONAL DISTRESS FOR CHRISTOPHER O'NEIL
AGAINST CATHOLIC GUARDIAN SOCIETY GROUP HOME**

207. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 206., inclusive, with the same force and effect as if herein set forth at length.

208. Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Queeny, Murphy and/or Petrelli, the Priests who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
209. Defendant **CATHOLIC GUARDIAN SOCIETY GROUP HOME** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
210. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Queeny, Murphy and Petrelli.
211. Despite said knowledge, power and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Queeny, Murphy and Petrelli sexually abusing Plaintiff.
212. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
213. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
214. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
215. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A EIGHTEENTH CAUSE OF ACTION FOR NEGLIGENCE

FOR CHRISTOPHER O'NEIL

AGAINST CATHOLIC GUARDIAN SERVICES

216. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. Through 215., inclusive, with the same force and effect as if hereinafter set forth at length.
217. At all times mentioned herein, Defendant **CATHOLIC GUARDIAN SERVICES** owed a duty of care to keep the young patrons, students and children of its parishes, home and school, including plaintiffs safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the Plaintiff, including but not limited to in locis parentis, and they had a duty to properly supervise Queeny, Murphy and Petrelli.
218. At all times mentioned herein, Defendant **CATHOLIC GUARDIAN SERVICES** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.
219. As a result of the negligence of Defendant **CATHOLIC GUARDIAN SERVICES** and/or its agents, servants and/or employees, Plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
220. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
221. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
222. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

223. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A NINETEENTH CAUSE OF ACTION FOR NEGLIGENT HIRING,

RETENTION AND SUPERVISION FOR CHRISTOPHER O'NEIL

AGAINST CATHOLIC GUARDIAN SERVICES

224. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. Through 223., inclusive, with the same force and effect as if hereinafter set forth at length.

225. Defendant **CATHOLIC GUARDIAN SERVICES**, had a duty to supervise and prevent known risks of harm to young patrons, students and children of its parishes, home and school, including plaintiffs by its clergymen.

226. Defendant was negligent in hiring, retaining and supervising their personnel, such as Queeny, Murphy and Petrelli, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of Priests and church officials who should have properly been supervising the Priests to ensure the safety of the children of the parishes.

227. Defendant **CATHOLIC GUARDIAN SERVICES** knew or should have known that Queeny, Murphy and/or Petrelli sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Queeny, Murphy and/or Petrelli.

228. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

229. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
230. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
231. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
232. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE TWENTIETH CAUSE OF ACTION FOR NEGLIGENT
INFLICTION OF EMOTIONAL DISTRESS FOR CHRISTOPHER O'NEIL
AGAINST CATHOLIC GUARDIAN SERVICES**

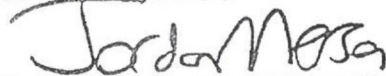
233. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 232., inclusive, with the same force and effect as if herein set forth at length.
234. Defendant **CATHOLIC GUARDIAN SERVICES** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Queeny, Murphy and/or Petrelli, the Priests who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
235. Defendant **CATHOLIC GUARDIAN SERVICES** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
236. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Queeny, Murphy and Petrelli.

237. Despite said knowledge, power and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Queeny, Murphy and Petrelli sexually abusing Plaintiff.
238. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant in such sums as a jury would find fair, just and adequate.
239. By reason of the foregoing, Plaintiff is entitled to punitive damages from Defendant in such sums as a jury would find fair, just and adequate.
240. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
241. This action falls within exceptions to Article 16 of the C.P.L.R.

WHEREFORE, Plaintiff demands judgement against defendant in such sum as a jury would find fair, adequate and just.

Dated: New York, New York
August 14, 2019

MERSON LAW, PLLC

By: 

Jordan K. Merson
Sarah R Cantos
Attorney for Plaintiff
150 East 58th Street 34th Floor
New York, New York 10155
(212) 603-9100

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX****Index No.:**
_____/19-----X
MICHAEL O'NEIL and CHRISTOPHER O'NEIL,**Plaintiffs,**
-against -**ATTORNEY
VERIFICATION****ARCHDIOCESE OF NEW YORK, CATHOLIC
GUARDIAN SOCIETY GROUP HOME, CATHOLIC
GUARDIAN SERVICES, and JESUITS USA
NORTHEAST PROVINCE,****Defendants.**-----X
JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York
State, and a member of the firm MERSON LAW, PLLC., attorneys for the plaintiffs in the
within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same
is true to his own knowledge, except as to the matters therein stated to be alleged upon
information and belief, and that as to those matters he believes it to be true.

That the sources of his information and knowledge are investigations and records in the
file.

That the reason this verification is made by affirmant and not by the plaintiff is that the
plaintiff is not within the County where the attorney has his office.

Dated: New York, New York
August 14, 2019


JORDAN K. MERSON

Index No.

Year 2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

MICHAEL O'NEIL and CHRISTOPHER O'NEIL,

Plaintiff(s),

- against -

ARCHDIOCES OF NEW YORK, CATHOLIC GUARDIAN
SOCIETY GROUP HOME, CATHOLIC GUARDIAN
SERVICES, and JESUITS USA NORTHEAST PROVINCE,

Defendant(s),

SUMMONS AND VERIFIED COMPLAINT

Merson Law, PLLC.

Attorneys for Plaintiff(s)

Office and Post Office Address, Telephone
150 East 58th Street 34th Fl.
New York, New York 10155
(212) 603-9100

To: All Parties
